

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

(1) APMC, INC., d/b/a A PLUS)
MEDICAL OF OKLAHOMA,)
Plaintiff,)
v.)
(1) MICHAEL FOGARTY, Chief)
Executive Officer of the Oklahoma) Case No. 5:08-cv-00249
Health Care Authority; (2) LYNN)
MITCHELL, M.D., State Medicaid)
Director; (3) KELLY SHROPSHIRE,)
Auditor for the Oklahoma Health Care)
Authority, sued in their official and)
individual capacities,)
Defendants.)

STIPULATION OF DISMISSAL WITH PREJUDICE

All parties in the above-styled lawsuit, Plaintiff APMC, Inc., d/b/a A Plus Medical of Oklahoma, and Defendants Michael Fogarty, Lynn Mitchell, M.D., and Kelly Shropshire, in their individual and official capacities, hereby stipulate to the dismissal with prejudice of the above-styled action, each party to bear his or her own attorney fees and costs.

DATED this 4th day of February, 2009.

s/ Kevin D. Gordon
D. Kent Meyers, OBA #6168
Kevin D. Gordon, OBA #10826
Rustin J. Strubhar, OBA #15850
Alison M. Howard, OBA #19835
CROWE & DUNLEVY, P.C.

s/ Christopher J. Bergin
(Signed by the filing attorney with
permission from Christopher J. Bergin)
Christopher J. Bergin, OBA #13897
Nicole Nantois, OBA #16965
Oklahoma Health Care Authority

20 North Broadway, Suite 1800
Oklahoma City, OK 73102-8273
(405) 235-7700
(405) 239-6651 (Facsimile)
kent.meyers@crowedunlevy.com
kevin.gordon@crowedunlevy.com
rustin.strubhar@crowedunlevy.com
alison.howard@crowedunlevy.com

-And-

Aletia Haynes Timmons, OBA #11855
TIMMONS & ASSOCIATES, L.L.C.
527 NW 23rd Street, Suite 200
Oklahoma City, Oklahoma 73103
(405) 602-5393
(405) 602-5390 (Facsimile)
atimmons@coxinet.net

P.O. Drawer 18497
Oklahoma City, OK 73154-0497
(405) 522-7431
(405) 530-3455 (Facsimile)
Christopher.bergin@okhca.org
Nicole.nantoi@okhca.org

ATTORNEYS FOR DEFENDANTS
MICHAEL FORGATY, LYNN
MITCHELL, M.D., AND KELLY
SHROPSHIRE

ATTORNEYS FOR PLAINTIFF APMC,
INC. d/b/a A PLUS MEDICAL OF
OKLAHOMA